

COUNTY COUNCIL  
OF  
HARFORD COUNTY, MARYLAND

Bill No. 04-28

Introduced by: Council Members Cassilly and Stepp

Legislative Day No. 04-22 Date: August 3, 2004

AN EMERGENCY ACT to establish a temporary moratorium on the approval of site plans and issuance of building permits for the construction of motor vehicle filling and service stations and uses that include gas dispensing pumps; to establish the duration of the moratorium; and generally relating to a temporary moratorium regarding motor vehicle filling and service stations and uses that include gas dispensing pumps.

By the Council, August 3, 2004

Introduced, read first time, ordered posted and public hearing scheduled

on: September 7, 2004

at: 6:15 p.m.

By order: Barbara J. Ruth, Council Administrator

PUBLIC HEARING

Having been posted and notice of time and place of hearing and title of Bill having been published according to the Charter, a public hearing was held on \_\_\_\_\_, and concluded on \_\_\_\_\_.

\_\_\_\_\_, Council Administrator

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW. [BRACKETS] indicate matter Deleted from existing law. Underlining indicates Language added to bill by amendment. Language lined through indicates matter stricken out of Bill By amendment.

1 WHEREAS, The purity of our fresh water supplies are vitally important to the health and  
2 well being of our citizens; and

3 WHEREAS, The vulnerability of our water supplies has been highlighted in dramatic  
4 fashion by the recent drought and the rapid infiltration of MTBE contamination in the  
5 Fallston area; and

6 WHEREAS, There is an ongoing investigation concerning an increase in the MTBE  
7 levels in the monitoring wells at the Exxon station at Upper Crossroads in Fallston; and

8 WHEREAS, The County, the Harford County Health Department and the Maryland  
9 Department of the Environment are actively investigating the contamination of the  
10 monitoring wells at this site; and

11 WHEREAS, It is anticipated that the investigation, report and action plan will be  
12 forthcoming in late September or early October; and

13 WHEREAS, The County currently lacks adequate controls to protect our precious water  
14 resources from accidental contamination, including contamination from MTBE; and

15 WHEREAS, Ongoing development threatens our water resources; and

16 WHEREAS, It is important that the County act immediately to put in place  
17 comprehensive measures to protect our water resources; and

18 WHEREAS, The County feels it is necessary to try to prevent the possibility of future  
19 contamination from any additional motor vehicle filling and service stations and the  
20 operation of gas dispensing pumps; and

21 WHEREAS, The Council finds that a temporary moratorium is necessary to try to  
22 prevent further contamination of potable water sources pending the completion of  
23 necessary studies.

1 NOW, THEREFORE,

2 Section 1. Be It Enacted By The County Council of Harford County, Maryland, that:

3 A. There is hereby established a moratorium on the approval of site plans and on the  
4 issuance of building permits for the construction of motor vehicle filling and service  
5 stations and uses that include gas dispensing pumps.


6 B. The moratorium shall be applicable to property throughout the County.

7 C. The moratorium shall be in effect for 180 calendar days from the date this Act  
8 becomes law and could be shortened or extended by further legislative action by the  
9 Council depending on how quickly the studies are concluded and how rapidly a plan is  
10 developed and implemented to mitigate the contamination occurring at gas dispensing  
11 pumps.

12 Section 2. And Be It Further Enacted, That this Act is declared to be an Emergency  
13 Act necessary to provide the County and the State the time to study this site and develop  
14 an action plan to mitigate the contamination occurring at gas dispensing pumps, to clarify  
15 the steps to be taken to try to ensure that this problem does not occur in the future and to  
16 further provide for legislation to protect drinking water resources as necessary and shall  
17 take effect on the date it becomes law.

EFFECTIVE:

*The Council Administrator does hereby  
certify that fifteen (15) copies of this Bill are  
immediately available for distribution to the public  
and the press.*

  
\_\_\_\_\_  
Council Administrator